

Message Text

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PAGE 01 BUDAPE 02114 291311Z
ACTION SCSE-00

INFO OCT-01 EUR-12 ISO-00 SCA-01 L-03 DHA-02 H-02
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FM AMEMBASSY BUDAPEST
TO SECSTATE WASHDC PRIORITY 8793

UNCLAS BUDAPEST 2114

E.O. 11652: N/A
TAGS: CASC
SUBJECT: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED
ABROAD

REF: (A) STATE 147704, (B) BUDAPEST 1867

1. FOLLOWING REPLY KEYED TO REFTEL (A) PARA 2.

2A. IN EFFECT, YES, IF NOT GRATIS THEN AT NOMINAL FEES.
HUNGARIAN LAW AND PROCEDURE MANDATE COUNSEL IN MORE-SERIOUS
CASES EVEN IF ACCUSED DOES NOT SO DESIRE. IN SUCH CASES, IF
ACCUSED IS UNABLE TO PAY SOME OR ALL FEES, COURT MAY REDUCE
OR WAIVE FEES. HUNGARIAN ATTORNEY ADVISES THAT COURTS OFFER
RIGHT OF COUNSEL IN VIRTUALLY ALL CASES PROVIDING ACCUSED
OPPORTUNITY TO HAVE COUNSEL OF OWN CHOOSING, IF HE PAYS, OR
COURT-APPOINTED OTHERWISE. RIGHT OF COUNSEL IS OFFERED IR-
REGARDLESS OF WHETHER COUNSEL MANDATORY. POLICE SIMILARLY
OFFER RIGHT OF COUNSEL EVEN DURING PRE-TRIAL INVESTIGATION
STAGE.

2B. YES.

2C. AS A VERY GENERAL STATEMENT, FAIRLY WELL. MUCH
DEPENDS ON RAPPORT BETWEEN THE ASSIGNED ATTORNEY AND THE
CLIENT. EMBASSY'S EXPERIENCE IS THAT SINCE HUNGARIAN
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LEGAL FEES ARE RELATIVELY MUCH MORE MODEST THAN IN U.S.,
QUESTION OF USC INDIGENCE AND CONSEQUENT COURT-APPOINTED
ATTORNEY ARISES SELDOM, IF EVER. AMERICANS PICK THEIR OWN
LAWYER FROM EMBASSY'S ATTORNEYS' LIST OR OTHERWISE, AND
SEEM FAIRLY SATISFIED WITH THE QUALITY OF SERVICES
PROVIDED.

2. EMBASSY RECOMMENDS REFTTEL (B) TO SCS' ATTENTION AS A
RECENT COMPREHENSIVE REPORT ON HUNGARIAN POLICE AND
CRIMINAL PRACTICES.
MUDD

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Message Attributes

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